

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB1042

Hearing Date: Friday February 02, 2018
Committee On: Health and Human Services
Introducer: Howard
One Liner: Change and eliminate provisions relating to nail technology

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Sara Howard
Jackie Hornig

Becky Pettigrew

Pam Rowland

Harold Sims

Representing:

Introducer
Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art
Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art
Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art
Vibe Salon and Day Spa

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 1042 addresses regulation and licensure for Nail Technologists under the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Act.

SECTION BY SECTION:

Section 1: Amends Section 38-1038 to eliminate reference to registration from the definition of "esthetics salon."

Section 2: Amends Section 38-10,128 to strikes minimum hour requirement of 150 hours to not more than 300 hours for a nail technician. Strike minimum hour requirement of 150 hours to not more than 300 hours beyond the hours required for a nail technician for licensure as a nail technology instructor.

Section 3: Amends Section 38-10,129 to remove reference to registration.

Section 4: Amends Section 38-10,131 to remove requirement to provide at least two exams a year.

Section 5: Amends Section 38-10,132 to strike minimum requirement of not less than 150 hours. Provides requirements to obtain licensure from another jurisdiction. Strikes requirement for licensure and nail technology instructor from another jurisdiction.

Section 6: Amends Section 38-10,135 to remove reference to an individual who is registered as a temporary practitioner on December 1, 2008 is deemed to be licensed as a temporary practitioner.

Section 7: Amends Section 38-10,142 to remove reference to unregistered persons and reference to registrations. Removes references to clients using, or consuming intoxicating beverages. Retains the nail salon shall not allow its employees to use or consume alcohol or controlled substances upon the salon premises.

Section 8: Amends Section 38-10,147 to remove specific square footage requirements for a nail technology school. Adds requires adequate floor space.

Section 9: Amends Section 38-10,150 to apply for a license to operate a nail technology school removes reference to registration. Removes requirement to provide the name and qualifications of the school manager. Removes requirement for a completed nail technology education evaluation scale. Removes requirement to provide a schedule of proposed hours of operation and class and course scheduling. Removes requirement of additional information the Department may require. Strikes requirement for validity of nail technology school license location.

Section 10: Amends Section 38-10,152 to continue allowing guest educators to instruct as long as they do not perform any of the practices of nail technology.

Section 11: Amends Section 38-10,153 to remove proof of age document requirements. Removes reference to registration.

Section 12: Amends Section 38-10,154 to allow students to obtain records only after all financial obligations of the student have been met.

Section 13: Amends Section 38-10,156 to only allow three student instructors to each full-time instructor.

Section 14: Repeals Sections 38-1038, 38-10,128, 38-10,129, 38-10,131, 38-10,135, 38-10,142, 38-10,147, 38-10,150, 38-10,152, 38-10,153, 38-10,154, 38-10,156, and 38-10,132.

Explanation of amendments:

AM 1732 strikes Section 8.

Strikes "rules" and inserts "catalog, handbook and policies" for requirement to submit for application for license to operate a nail technology school.

Strikes Nebraska residency requirement for transfer from one school to another in Section 12.

Strikes student instructor to instructor ratio from three to two in Section 13.

Merv Riepe, Chairperson